

AMENDED IN ASSEMBLY APRIL 29, 2009

AMENDED IN ASSEMBLY MARCH 23, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 136

Introduced by Assembly Member Silva

January 20, 2009

An act to amend Section 19596.1 of, and to add Section 19532.2 to, the Business and Professions Code, relating to horse racing.

LEGISLATIVE COUNSEL'S DIGEST

AB 136, as amended, Silva. Horse racing: ~~harness racing~~; imported harness or quarter horse races.

Existing law provides that the California Horse Racing Board shall have the authority to allocate racing weeks and provides that the maximum number of racing weeks that may be allocated for harness racing, other than at fairs, in the northern zone is 25 weeks per year. Existing law also provides that the maximum number of racing weeks that may be allocated to a fair shall be 4 weeks each year, except as provided, including that the board may allocate additional weeks of harness racing to the California Exposition and State Fair in Sacramento or its lessee, to be raced at that fair.

This bill would authorize the board to allocate 52 weeks of harness racing in the northern zone, at one or more racetracks or fairs. The bill would provide that any provision of the Horse Racing Law that pertains to harness racing at the California Exposition and State Fair in Sacramento shall also apply to harness racing which is conducted at any other racing venue in the northern zone.

Under existing law, the ~~board~~ *California Horse Racing Board* is authorized to permit a harness or quarter horse association conducting a race meeting to accept wagers on the results of out-of-state or out-of-country harness or quarter horse races, and certain other designated harness or quarter horse races, if specified conditions are met. One of these conditions is that, if only one breed is being raced on a given day, the racing association conducting live racing may import those races that would otherwise be simulcast by the association which is not racing, subject to the limitation that the total number of harness or quarter horse races imported in a calendar year does not exceed the number of night races imported in 1998 after 5:30 p.m.

This bill would delete that limitation regarding the total number of harness or quarter horse races imported in a calendar year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 19532.2 is added to the Business and~~
- 2 ~~Professions Code, to read:~~
- 3 ~~19532.2. Notwithstanding any other provision of law, 52 weeks~~
- 4 ~~of harness racing may be allocated by the board, and conducted,~~
- 5 ~~in the northern zone, at one or more racetracks or fairs. Any~~
- 6 ~~provision of this chapter that pertains to harness racing at the~~
- 7 ~~California Exposition and State Fair in Sacramento shall also apply~~
- 8 ~~to harness racing which is conducted at any other racing venue in~~
- 9 ~~the northern zone.~~
- 10 ~~SEC. 2.~~
- 11 ~~SECTION 1. Section 19596.1 of the Business and Professions~~
- 12 ~~Code is amended to read:~~
- 13 ~~19596.1. (a) Notwithstanding any other provision of law, the~~
- 14 ~~board may authorize a harness or quarter horse association~~
- 15 ~~conducting a race meeting to accept wagers on the results of~~
- 16 ~~out-of-state or out-of-country harness or quarter horse races and,~~
- 17 ~~with the board's approval and with the concurrence of the~~
- 18 ~~horsemen's organization contracting with the association, other~~
- 19 ~~designated harness or quarter horse races during the period it is~~
- 20 ~~conducting the racing meeting, if all of the following conditions~~
- 21 ~~are met:~~

1 (1) The authorization complies with federal laws, including, but
2 not limited to, Chapter 57 (commencing with Section 3001) of
3 Title 15 of the United States Code.

4 (2) Wagering is offered only within the racing inclosure and
5 only within 36 hours of the running of the out-of-state feature race.

6 (3) The association conducts at least seven live races, and
7 imports not more than eight races on those days during a racing
8 meeting when live races are being run, except as provided in
9 subdivision (b).

10 (4) If only one breed of horse specified in this section is being
11 raced on a given day, then the association conducting the live
12 racing may import those races which would otherwise be simulcast
13 by the association which is not racing. After the usual deductions,
14 including the portion for the racing association, the portion
15 remaining for purses from these races shall be distributed equally
16 for purses for harness horsemen and quarter horse horsemen.

17 (5) No quarter horse or harness racing association shall accept
18 wagers on out-of-state or out-of-country quarter horse or harness
19 races commencing before 5:30 p.m., Pacific standard time, without
20 the consent of any thoroughbred association or fair that is then
21 conducting a live racing meeting in this state.

22 (b) An association that is authorized to import races pursuant
23 to subdivision (a) may, at its sole discretion, import fewer than the
24 maximum number of harness or quarter horse races authorized in
25 paragraph (3) of subdivision (a). For up to two races per night, for
26 each race that is not imported under the maximum authorized by
27 paragraph (3) of subdivision (a) on a particular night of racing, the
28 association may add a race to the number of races allowable under
29 the maximum authorization on another night of racing. However,
30 no more than two races may be added under this subdivision to
31 the number allowable on a single night, and the total number of
32 imported races over a calendar year may not exceed the total
33 number of imported races authorized pursuant to paragraphs (3)
34 and (4) of subdivision (a).